



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: August 22, 2006

Department: Zoning, Building, Planning & Env. Health Department
Staff Contact: Adella Gallegos, Assoc. Program Planner

TITLE: CONSENT: Special Use Permit for an Institution of a Religious Nature, located at 819 Atrisco Road, SW (CSU-60017)

COUNTY PLANNING COMMISSION RECOMMENDATION:

APPROVAL

SUMMARY:

At the June 7, 2006 public hearing, the County Planning Commission voted 6-0 (Commissioner Montano excused) to recommend approval of a Special Use Permit for an Institution of a Religious Nature, on Tract B, LD-73-448, located at 819 Atrisco Road SW, containing approximately .33 acres. The decision was based on the following six (6) Findings and subject to the following sixteen (16) Conditions:

Findings:

1. This is a request for approval of a Special Use Permit for an Institution of a Religious Nature on Tract B, LD-73-448, located at 819 Atrisco Road SW, on the northwest corner of Atrisco and Salvador, zoned R-1 with a Special Use Permit for a Church Sponsored Chemical Dependency Group Home, containing approximately .33 acres.
2. The property is located in the Established Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Five of the Southwest Area Plan.
3. This request is consistent with Resolution 116-86 in that the proposed land use is consistent with Albuquerque/Bernalillo County Comprehensive Plan, Section II.D.8. Human Services goal in providing the greatest possible access to services and in that this established human services operation has existed within this community for over 15 years.
4. This request is consistent with Resolution 116-86 in that the proposed land use is more advantageous to the community in that it facilitates Policy 37 of the Southwest Area Plan in that the land use has provided and promoted services vital to the community.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.

6. This Special Use Permit (CSU-60017) for an Institution of a Religious Nature supercedes the previous Special Use Permits for this site CSU-87-49, CSU-92-23 and CSU-98-2.

Conditions:

1. The maximum number of residents shall be limited to 30.
2. The facilities for handling out patient and long term care shall be addressed in an operational programming plan with a copy submitted to the Bernalillo County Zoning, Building, Planning and Environmental Health Department.
3. The program shall obtain any applicable licenses(s) (Federal and/or State) with a copy submitted to the Bernalillo County Zoning, Building, Planning and Environmental Health Department.
4. The program shall provide a planned program of cares consisting of: program supervision, counseling and/or therapy, and assistance with the development of daily living skills.
5. The program shall operate in accordance with the articles of incorporation.
6. Design of the facility shall be compatible with the surrounding neighborhood, including landscaping and architecture.
7. The operation shall have a written plan for facilitating good relationships with neighboring residents and businesses.
8. Neighboring residents and businesses may, if written complaints are not resolved within 30 days of bringing them to the attention of the program operators, file such complaints with the Zoning Enforcement Officer for review, investigation and possible mediation.
9. Review process:
 - a. Operators of the program shall annually submit to the Zoning Enforcement Office copies of their updated program description. If there are no changes since the previous filed documents, a statement to this effect is sufficient.
 - b. If evidence indicates changes in the program materially in violation of the original terms of approval or major unresolved complaints attendant upon the use of the facility as a community residential program, the Zoning Enforcement Officer may refer the matter to the County Planning Commission.
10. A revised site plan shall be submitted consistent with the Conditions of approval and shall be submitted for review and approval to the Zoning Administrator within two months after final approval by the Board of County Commissioners.
11. The revised site plan shall include the existing right-of-way of Atrisco Road and Salvador Road.
12. The applicant shall obtain a building permit for compliance with the 2003 International Building Code Institutional Care occupancy regulations.

13. The revised site plan shall include the appropriate number of parking spaces in accordance to Section 21 of the Zone Code.
14. The Special Use Permit shall be issued for the life of the use.
15. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
16. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit, and shall be strictly complied with within one year.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (June 9, 2006)
2. County Planning Commission Information Packet
3. Supplemental information, including Letters of Support (Commissioners Only)
4. Site Plan (Commissioners Only)

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Approval

VERSION 4.0